

**REMARKS**

Claims 1-118 are pending in the application, of which Claims 1, 13, 20, 27, 46, 58, 65, 77, 82, 85, 100, 106, and 113-118 are independent claims. All claims have been rejected under 35 U.S.C. § 102(b). In addition, Claims 50 and 102 have been rejected under 35 U.S.C. § 112, first paragraph, and Claims 33, 37, 45, and 90 have been rejected under 35 U.S.C. § 112, second paragraph. Finally, the Specification is subject to an objection.

In response, the rejections and objections are traversed. Certain claims have been amended to clarify the subject matter sought to be patented. New claims have also been added to the Application.

***Objection to the Specification***

The specification has been objected to as being deemed to have “an embedded hyperlink and/or other form of browser-executable code.” The objection is traversed.

The Applicant is not attempting to incorporate the contents of any URL into the Specification. Instead, all URL’s are provided as text to illustrate the claimed invention and are not intended to be active links. Consequently, the objection should be withdrawn because “the hyperlinks and/or browser-executable codes themselves (rather than the contents of the site to which the hyperlinks are directed) are necessary to be included in the patent application in order to meet the requirements of 35 U.S.C. 112, first paragraph, and applicant does not intend to have those hyperlinks be active links.” (See MPEP § 608.01 (Examiner’s Note to ¶ 7.29.04). “The Office will disable these hyperlinks when preparing the text to be loaded onto the USPTO web database.” (MPEP § 608.01).

Reconsideration and withdrawal of the objections to the Specification are respectfully requested.

Section 112 Rejections

Claims 50 and 102 were rejected under 35 USC § 112, first paragraph, as being deemed to recite subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the Office states that a data compression algorithm is not described in the Specification. This rejection is traversed.

The use of a data compression algorithm to reduce storage space is described at least on page 4, lines 25-26, and page 6, lines 1-2, of the Specification. Many such compression algorithms are well known in the art, and no specific algorithm is required to practice the claimed invention. It is believed that the one of ordinary skill in the art would be able to select and apply at least one compression algorithm to the information being stored.

Claims 33, 37, 45, and 90 were rejected under 35 USC § 112, second paragraph, as being deemed indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The rejections are traversed.

As to Claims 33 and 90, the claimed digital signature engine is described at least on page 13, lines 13-25 of the Specification.

As for Claims 37 and 45, the Applicants disagree with the Office's definition of a web robot. As defined at [www.webopedia.com](http://www.webopedia.com), a robot is "(2) A program that runs automatically without human intervention. Typically, a robot is endowed with some artificial intelligence so that it can react to different situations it may encounter. Two common types of robots are agents and spiders." It is believed that the Office is confusing robots, as claimed, with "robots.txt" files on web sites that attempt to control or exclude the operation of robots on the web site. An example usage of the "robots.txt" files is discussed on pages 26-29 of the cited Archive reference. These files are not robots themselves, but are read by robots, such as web crawlers.

Reconsideration and withdrawal of the rejections under Section 112 are respectfully requested.

Section 102 Rejections

Claims 1-118 were rejected under 35 USC § 102(b) as being anticipated by “[www.web.archive.org](http://www.web.archive.org); any linkage January 9, 1998 (“Archive”).” The rejections are traversed.

As an initial point, based on the provided reference (labeled “Wayback”), it is understood that a better citation to the reference would be for the form “<http://web.archive.org/web/19980109xxxxxx/http://www.archive.org/>” (the exact URL is unreadable on the Applicant’s copy of the reference). Clarification is requested.

Furthermore, it is noted that the Archive reference includes later than the indicated date of January 9, 1998. Pages 12-25 carry a date of February 4, 1998, pages 26-27 carry a date of February 24, 1998, pages 29-30 carry a date of January 17, 1999, and page 31 carries a date of April 8, 2000. The tendency of files stored in the Internet Archive to link to newer files is one of the problems solved by the present invention.

The subject Application describes and claims a system and method for archiving and retrieving electronic content provided by internetworked content providers, such as web site pages. The system can store copies of the original content (such as HTML files) as well as a rendered browser view of the source file. By also storing rendered views of the source file, a future researcher does not require a browser (possibly long obsolete) that is capable of correctly processing the source file. The researcher, instead, can view the source file as originally written and the stored view, which represents how the content would have appeared through a browser at the time it was archived.

The subject application also recognizes that it may be important in the future to be able to identify those responsible for posting the original content. A technique is thus described that can store identifying information about a content provider in association with the content. That information can include domain registry information.

The archived information is also indexed so that the content itself is searchable within the archive. Content that matches the search criteria can then be retrieved with the associated information about the content provider. This feature can be particularly useful when the content is no longer publicly available via the Internet (e.g. the web site no longer exists or the content has been deleted).

Finally, the subject Application describes the use of a database to maintain relationships between the stored content and information. Because the content is unaltered by the archiving process and a browser is not required to view the rendered content, linking between content files is handled by the database. In other words, the database data replicates original hyperlinks to allow website to be retrieved as of a particular time. This solution addresses the above-mentioned date problem in files retrieved from the Internet Archive, such as the cited Archive reference.

The Internet Archive discussed in the Archive reference is an effort to collect and store public materials from the Internet for later retrieval. It has numerous drawbacks that are addressed by the subject Application.

First, the Internet Archive did not produce file contents as they were originally posted on the Internet by the content providers. HTML files retrieved from the Internet Archive indicated that they are rewritten by the Wayback machine to preserve temporal integrity. Retrieved HTML files also include text data identifying when and where the file was archived and when it was retrieved from the archive. An example of this for the archived version of [www.archived.org/home.html](http://www.archived.org/home.html) from January 13, 1998 is attached as Exhibit A (see page 3). It is also noted that the January 9, 1998 link to archive.org was no longer offered on February 21, 2006, as shown by Exhibit B. Such HTML files are therefore not copies of electronic content as collected from an electronic address as now recited at least in base Claims 1, 13, 65, 77, 113, and 114. *See also* base Claims 27, 85, and 116 (“a copy of source code for operating a web browser”). Indeed, the Internet Archive’s stored content may change over time.

Second, the Internet Archive apparently only stored modified version of source files. For interpreted files, such as HTML files, the file was processed through the user’s browser for display. The user’s browser may not display the retrieved page in the same way as a contemporary browser would have displayed the original page. In any event, the Archive reference does not suggest the storage in the archive of “a copy of a browser-rendered display generated by the source code files” as required at least by base Claims 27, 85, and 116.

Furthermore, the Archive reference does not suggest the storage of Internet registration data associated with a content provider. For some pages archived by the Internet Archive, there may be no way to identify the owner or author of the content. The subject Application addresses

that issue by archiving registration data for the content provider, as recited at least in base Claims 20, 82, and 115. *See also* base Claims 46, 100, and 117 (“an identification for each content provider”).

Finally, the Archive reference is limited to retrieving files based on a URL address. Without a known URL, data in the Internet Archive could not be retrieved. That is because there is no suggestion that the archived content be indexed or otherwise searchable. The claimed invention includes limitations directed toward querying content in the archive, such as information related to an intellectual property right, as recited at least in base Claims 1, 58, 65, 106, 113, and 118.

Certain dependent claims also recite limitations directed to the above patentable features. Other patentable features are also recited in the dependent claims. In addition to following from the allowability of their base claims, the dependent claims are separately patentable.

Reconsideration of the rejections of Claims 1-118 under Section 102 is respectfully requested.

New Claims

New Claims 119-123 have been added to the application to expressly recite the use of a database to relate stored data with a timestamp. The new claims are supported by FIGs. 2, and 6-8C of the Application. In comparison, the Archive reference only suggests that Internet Archive tracked dates via a URL and does not suggest the use of a database to handle that task. Acceptance and allowance of the new claims is respectfully requested.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 09/909,502

Filing Date: July 19, 2001

Title: Data Archival and Retrieval System for Internetworked Computers

Dkt: 2961.1000-001

Conclusion

The claims are now in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to telephone Applicant's attorney (781-239-8131) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3739

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 21st day of February, 2006.

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